

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### EXTRAORDINARY No. 3

#### GOVERNMENT OF GOA

Department of Law and Judiciary

Legal Affairs Division

#### Notification

7/30/2000/LA

The Goa School Education (Amendment) Act, 2000 (Goa Act 26 of 2000), which has been passed by the Legislative Assembly of Goa on 26-7-2000 and assented to by the Governor of Goa on 7-9-2000, is hereby published for general information of the public.

*Sharad G. Marathe*, Under Secretary (Drafting).

Panaji, 13th September, 2000.

The Goa School Education (Amendment)  
Act, 2000

(Goa Act 26 of 2000) [7-9-2000]

AN

ACT

*further to amend the Goa, Daman and Diu School  
Education Act, 1984.*

Be it enacted by the Legislative Assembly of Goa  
in the Fifty-first Year of the Republic of India as  
follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa School Education (Amendment) Act, 2000.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985) (hereinafter referred to as the "principal Act"), for clause (u), the following shall be substituted, namely:—

"(u) "school" includes a pre-primary, primary, high school and higher secondary school, and also includes any other institution which imparts education or training below the degree level, but does not include an institution which imparts technical education;"

3. *Amendment of section 5.*— In section 5 of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely:—

"(6) The prescribed authority may, by order, grant recognition to any school which had not obtained recognition earlier for any genuine reasons if the school satisfies the conditions specified in the proviso to sub-section (1) and makes an application in the prescribed form and in the prescribed manner for recognition;"

4. *Amendment of section 18.*— In sub-section (1) of section 18 of the principal Act,—

(i) for the existing proviso, the following proviso shall be substituted, namely:—

"Provided that a child who has not attained the age of five years on or before the 1st day of June of the year two thousand and one, shall not be admitted to class I, or an equivalent class or any class higher than class I in a recognised school in the year two thousand and one;"

(ii) after the proviso, the following provisos shall be inserted, namely:—

"Provided further that from the 1st day of June of the year two thousand and two, a child who has not attained the age of five years and six months, on or before the 1st day of June of the year two thousand and two, shall not be admitted to class I, or an equivalent class or any class higher than class I, in a recognised school in the year two thousand and two:

Provided also that from the 1st day of June of the year two thousand and three, a child who has not attained the age of six years on or before the 1st day of June of the year in which the admission of such child is sought, shall not be admitted to class I, or an equivalent class or any class higher than class I, in a recognised school."

5. *Insertion of new section 29 A.*— After section 29 of the principal Act, the following new section shall be inserted, namely:—

"29A. *Removal of doubts.*— For the removal of doubts, it is hereby declared that notwithstanding anything contained in any law, rules, regulations, notifications, decree, order or judgment of any Court, authority or Tribunal, a permission granted prior to the coming into force of this Act in municipal areas for opening class I or class V in any school shall be construed as permission to open classes upto IV or X respectively and the same shall be applicable to Village Panchayat areas after due assessment by committee appointed by the department of the need for the higher class is carried out."

Secretariat Annexe,  
Panaji,  
Dated: 13-9-2000.

R. RAGHURAMAN,  
Secretary to the  
Government of Goa,  
Law Department  
(Legal Affairs).

## Department of Panchayat Raj and Community Development

Directorate of Panchayats

### Notification

36/DP/PAN/PS/99

In exercise of the powers conferred by sub-section (1) of section 179 of the Goa Panchayat Raj Act, 1994 (Goa Act No. 14 of 1994), the Government of Goa hereby makes the following order, namely:—

1. *Short title and commencement.*— (1) This Order may be called the Goa Panchayat and the Zilla Panchayat (Procedure for purchase of stores and equipment, etc.) Order, 2000.

(2) It shall come into force at once.

2. *Authorities competent to purchase stores.*— The Village Panchayat and the Zilla Panchayat, as the case may be, shall be competent authority to purchase or acquire any stores described in the Schedule hereto.

*Note.*— The term 'Stores' used in this Order applies generally to all articles and materials purchased or otherwise acquired for the use of Village Panchayat and the Zilla Panchayat, including not only expendable and issuable articles in use or accumulated for specific purposes but also articles of deadstock of the nature of plant, machinery, instruments, furniture, equipment, fixtures and livestock, etc., but excluding books, publications, etc., in a library.

3. *Village Panchayat and the Zilla Panchayat to assess their requirement.*— (1) Every Village Panchayat and the Zilla Panchayat shall before the commencement of the financial year or immediately before the commencement of the second half of the financial year shall assess the stores required for purchase, after discussion with all the members present in the meeting specially called for the purpose and after passing a resolution to that effect.

(2) Once the resolution is passed by the Village Panchayat or the Zilla Panchayat, the Sarpanch or the Secretary in case of Village Panchayat and the Chief Executive Officer in case of the Zilla Panchayat, as the case may be, shall follow the procedure to acquire the same, as per the rules

specified in the General Financial Rules, 1963, which are presently followed by all the Government Departments.

4. *Applicability of the General Financial Rules, 1963 for all purchases made by the Village Panchayat and the Zilla Panchayat.*— The rules namely 103, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, and 124 of the General Financial Rules, 1963, shall, *mutatis mutandis*, apply for the purchase of stores by the Village Panchayat and the Zilla Panchayat and the words "Officer incharge of the stores" and "the Government", wherever they appear under the Rules 103, 106, 107 and 108 thereof shall be construed as the Village Panchayat Secretary or the Chief Executive Officer and the Village Panchayat or the Zilla Panchayat, as the case may be, respectively.

5. *Procedure for inviting tenders/quotations.*—

(1) Purchase of stores upto Rs. 1000/- (Rupees one thousand only), on each occasion, shall be made without calling quotations by the Village Panchayat or the Zilla Panchayat. Purchase of stores costing more than Rs. 1000/- and upto Rs. 10,000/- shall not be made by the Zilla Panchayat or the Village Panchayat, as the case may be, without calling tenders or purchasing through preferential purchase scheme. In such cases, quotation shall be invited and such purchase shall not exceed Rs. 10,000/- (Rupees ten thousand only) at a time, and Rs. 1,00,000/- (Rupees one lakh only), in a year.

(2) If the purchase exceeds Rs. 10,000/- (Rupees ten thousand only) at a time, the procedure for obtaining the stores by inviting open tenders shall be followed.

(3) Tenders shall be invited by,—

- (i) Advertisement (open tender);
- (ii) Direct invitation to a limited number of contractors (limited tender);
- (iii) Invitation to one contractor only (single tender);
- (iv) Negotiation with one or more contractors (negotiation).

(4) The open tender system i. e. by public advertisement shall be used as a general rule in all cases in which the estimated value of stores is Rs. 50,000/- (Rupees fifty thousand only), and above.

(5) Whenever, it is not feasible to invite quotations or tenders in cases of emergency the Village Panchayat or the Zilla Panchayat as the case may be, may purchase the stores not exceeding the value of Rs. 10,000/- at a time, by recording the reasons in writing thereof.

6. The 'Limited Tender' system may, however, be adopted instead of the 'Open Tender' system even when the estimated value of the stores is not less than Rupees 50,000/- in the following circumstances,—

(a) When sufficient reasons exist which indicate that it is not in the public interest to invite tenders by advertisement. In every such case the reasons must be recorded by the Village Panchayat and the Zilla Panchayat, as the case may be.

(b) When the sources of supply are definitely known and the possibility of fresh source, beyond those being tapped is remote. In all such cases the approval of the Director of Panchayats to dispense with open tender by way of advertisement shall be taken.

7. *Issue of tender forms should not be restricted.*—

When the tenders are invited by advertisement, the issue of tender forms shall not be restricted only to those whose names are on the list of approved contractors. Contractors not on the list shall, on enquiry, be informed that they are at liberty on payment of certain fees, to quote against the advertised invitation. Where the offer from the contractor who is not on the approved list is considered, suitable steps shall be taken to ascertain his/its capacity and financial standing. If, the enquiries and other matters prove satisfactory, the order or a portion of it, may be placed with the contractor subject to a Security Deposit being made by the contractor for due performance of the terms and conditions of the Agreement that may be executed with the contractor. If, the order or the portion thereof is satisfactorily executed, the contractor shall be advised to apply for registration on the list of approved contractors.

8. *Late tender, delayed tender and post tender.*—

Late tenders (i.e. tenders received after specified time of opening), delayed tenders (i.e. tenders received before the time of opening but after the due date and time of receipt of tenders) and post tender offers shall not be considered at all.

9. *Procedure regarding important stores.*— Important plant, machinery and Iron and Steel works as specified in the Schedule hereto shall be obtained only from firms registered as approved contractors by the Director General, Supplies and Disposals. The intention of this clause is to ensure that plant, machinery and other engineering equipments e.g. bridge, girders, roof trusses, which form important components of a project, shall be obtained only from firms which possess workshops and appliances capable of turning out work of the desired standards.

10. *Purchase of stores restricted to budgetary provision.*— Every Village Panchayat and the Zilla Panchayat shall make sufficient budgetary provision in the financial year for purchase of stores under appropriate item. No purchase of stores shall be made unless there exists sufficient budgetary provision during the financial year or the amount required to meet the purchase of stores is obtained by re-appropriation during the same financial year under the appropriate item.

11. *Approval of Panchayat on supply of stores.*— Every offer or quotation for supply of stores received in time shall be placed for approval before the Village Panchayat in the meeting. No order shall be placed for supply of stores by the Sarpanch or the Secretary of the Village Panchayat, without the approval of Panchayat. Any stores purchased without such approval of Panchayat is void and amounts to violation of this order.

12. So far as purchase of stores by the Zilla Panchayat by calling quotation or offer is concerned, the Chief Executive Officer shall be the Head of Department, who shall be guided by the provision of the General Financial Rules, 1963 and other instructions issued by the Government from time to time.

#### SCHEDULE

(1) Heavy Mechanical Plant and machinery.....	Road Rollers, Tractors Bulldozers, Dumpers, Mobile Cranes, Compressors, Land and Marine Boilers, Turbines, Diesel Engines, Pumps, Pneumatic Machines, Hydraulic Jacks, Exhaust Fans, Coal Washery Plant, Coal Cutting Plant, Marine Engines, Sewage Plant, Air-
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	-Conditioning Unit, Water Treatment Plant, Hydraulic Turbines, Gas Turbines, Steam Turbines, Steel Wire Ropes, Super Heater Elements, Chains, etc.
(2) Electricals.....	Generating Sets, Transformers, Rectifiers, Motors, Switch Gears, Welding Sets, Conductors and Cables, X-Ray and Hospital Equipment, Electrical Instruments, Electric Lifts, Insulators, Light House Equipment, Train Lighting Equipment, such as Dynamos, Head Lights, etc.
(3) Electronics.....	Transmitters, Receivers, Frequency Generators Valves, Testing Instruments, Radar Navigational Aids and Instruments, etc.
(4) Structural.....	Road and Railway Bridges, Girders, Roof Trusses, Transmission Towers, Buoys and Anchors, Tanks and Stagings, Gates for Dams, Overhead Cranes, Jetty Cranes, Ladders, Signalling Equipment, Hangers and Hutments, Turntables, Traversers, etc.
(5) Machine Tools....	Workshop Lathes, Wheel Turning Lathes, Planing Machines, Milling Machines, Pillar Drills, Shapers, Radial Drills, Presses, Moulding Machines, Grinding Machines and Grinding Wheels, Boring Machines, Roller Bearings, etc.
(6) Road Transport...	Vehicles, Motor Cars, Motor Lorries, Buses, Trailers, Cinema Vans, Mobile Dispensaries,

	Air-Conditioned Food Vans, Road Sprinklers, Oil Tankers, etc.	(9) Iron & Steel....	Pig Iron, Steel Sections, Steel Plates, Steel Trusses, etc.
(7) Fire Fighting Equipment....	Trailer Pumps, Air Crash Tender Pumps, Ladders, Hoses, Fire Fighting Lorries, Fire Extinguisher.	By order and in the name of the Governor of Goa.	
		G. G. Kambli, Director of Panchayats and Ex-Officio Joint Secretary.	
(8) River Craft & Sea Craft....	Tugs, Boats, Motor Boats, etc.	Panaji, 13th September, 2000.	